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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/667,802	09/22/2000	Shigefumi Wada	4495-006	9689

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EXAMINER

KISS, ERIC B

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 12/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/667,802

Applicant(s)

WADA ET AL.

Examiner

Eric B. Kiss

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-5 and 12-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-5 and 12-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The reply filed 2 September 2004 has been received and entered. Claims 3-5 and 12-17 are pending.

Response to Amendment

2. Applicant's amendments to the claims do not appropriately address the rejection of claims 3-5 and 12-14 under 35 U.S.C. §112, second paragraph. Accordingly, this rejection is maintained and reproduced below.

Claim Rejections - 35 USC § 112

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 3-5 and 12-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. The claims are generally indefinite, failing to conform to current U.S. practice. They are replete with 35 U.S.C. 112, second paragraph problems such as lack of antecedent basis and

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significant grammatical errors. The claims should be revised carefully in order to comply with 35 U.S.C. 112, second paragraph. In light of this, a lack of a rejection based on prior art to a particular claim should not be construed as an indication of impending allowability of that claim.

Below are some examples of such problems in the claims. **Given the numerousness of problems in the pending claims, no attempt has been made to produce an exhaustive list of such problems, and accordingly, it is Applicant's responsibility to carefully review each claim and make all appropriate revisions to bring the claims into compliance.** Some of the examples cited below may apply to multiple claims or multiple portions of the same claim, even if not explicitly stated.

Claim 12 recites the limitation "said terminal computers" in each of lines 15 and 20. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "said two conditions" in line 26. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "the customized functions" in lines 29-30. There is insufficient antecedent basis for this limitation in the claim.

Claim 12 recites the limitation "said data-writing processing function groups" in line 27. There is insufficient antecedent basis for this limitation in the claim.

The Examiner is unable to meaningfully interpret the limitations in claim 12, lines 21-26 for at least the following reasons:

The phrasing of the limitations, *e.g.*, comma usage, renders the limitations unintelligible. For example, it is unclear what is meant by “said data-writing processing function group having tables of said database into at least two conditions” (lines 21-22). If the “into at least two conditions” is intended to describe the classifying, then the limitation is still unclear because conditions are typically a restrictive input for a function and not a typical output of a classification. Are these “conditions” criteria used in performing classification, or are the conditions supposed to actually represent categories into which some (unspecified) data is classified? Similarly, it is unclear what is meant by “at the time of writing process of said basic-tasks programs executed per each table of said database” (lines 24-25). Is “writing” intended to be a verb or an adjective? Is “the time” intended to refer to exactly one event or multiple events?

The claim makes reference to at least two conditions, describing the “first condition” as “either customized writing is done or not”. This appears to be two conditions and not a singular “first condition”. Similarly, “new writing, revision, or deletion” appears to be three conditions and not a singular “second condition”.

Claim 13 recites the limitation “each table for writing a text file of the external general-purpose data” in line 15. There is insufficient antecedent basis for this limitation in the claim.

It is unclear how the phrase “and stored in the DLL file” in line 16 of claim 13 is intended to fit in with the surrounding context (classifying the data-accepting processing group) of the claim.

“when the data of the text file have additional columns, and entry item for the format of said additional columns is also created” (claim 13, lines 21-22) appears to be an additional method step rather than an entry item as set forth in line 19.

Claim 13 recites the limitation “said external general-purpose text data” in line 27. There is insufficient antecedent basis for this limitation in the claim.

In claim 15, it is unclear what is meant by “wherein the basic-tasks programs have a database having tables” (line 3). Is the database stored within the program code for the plural basic-tasks programs, or are the basic-tasks programs each designed to access the same database?

Claim 15 recites the limitation “the terminal computers” in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation “said terminal computers” in line 18. There is insufficient antecedent basis for this limitation in the claim.

In lines 34-35 of claim 15, “or creating new tables when customization is desired” is not a clearly and positively recited limitation.

The Examiner is unable to meaningfully interpret “data of the original column data of the customized column in case of a customized table are sequentially written onto each table” in lines 44-45.

It is unclear whether “a database” in line 7 of claim 16 is intended to refer to the database set forth in line 3. This renders further references to “said database” indefinite.

The word “that” in line 4 of claim 16 appears to be misplaced, rendering the remaining portions of lines 4-8 inactive.

It is unclear whether “read” and “read/accepted” in lines 6-7 of claim 16 are describing two distinct conditions.

Claim 16 recites the limitation “each table of said database writing application for writing a text file of the external general-purpose data” in lines 9-11. There is insufficient antecedent basis for this limitation in the claim.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


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7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Eric B. Kiss whose telephone number is (571) 272-3699. The Examiner can normally be reached on Tue. - Fri., 7:00 am - 4:30 pm. The Examiner can also be reached on alternate Mondays.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Tuan Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EBK / ~~EBK~~
November 30, 2004



TUAN DAM
SUPERVISORY PATENT EXAMINER